

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
CASE NO. 5:21-CV-00482-BO

LANCE JAY ROBBINS, individually
and as trustee of THE ROBBINS
MARITAL SETTLEMENT TRUST OF
1994, MII REALTY LLC, and BRICK
INVESTMENT, LLC,
Plaintiffs,
v.
ALTOPA, INC., MATTHEW WILSON,
NICOLE K. WICKER, AND DOES 1
through 10 inclusive,
Defendants.

ORDER GRANTING CONSENT MOTION TO STAY

This matter is before the Court on the motion of Plaintiff MII Realty, LLC to stay this action for 90 days, or until the appropriate parties have (a) substituted for Lance Robbins individually, and (b) been appointed to fill the roles of Trustee and Manager for The Robbins Marital Settlement Trust of 1994 and Brick Investment, LLC, respectively, whichever is earlier. All Defendants consent to the relief sought in the motion.

Having considered the motion [DE-79] and the Suggestion of Death of Plaintiff Lance Robbins [DE-78], the Court concludes that good cause exists and in its discretion GRANTS the motion. It is hereby ORDERED:

(a) That this action is stayed for 90 days from September 5, 2023 or until entry of an order on a motion to substitute the real party in interest for the late Lance Robbins, whichever is earlier;

(b) that notwithstanding the stay, the personal representative of Mr. Robbins may file a motion to substitute real party interest with supporting memorandum, and if any Defendant opposes such motion, that Defendant may file an opposition memorandum, and the representative may file a reply memorandum; and

(c) Counsel shall consult regarding an appropriate schedule to apply after the Court's order on any motion to substitute real party in interest and shall provide their joint position or respective positions at the time the motion to substitute is filed.

This the 4 day of October, 2023.


TERRENCE W. BOYLE
UNITED STATES DISTRICT JUDGE